

STATE OF MARYLAND

MARYLAND DEPARTMENT OF THE ENVIRONMENT

Shari T. Wilson, Secretary

BILL NO: House Bill 1541

COMMITTEE: Environmental Matters

POSITION: Oppose

TITLE: Real Property – Prohibition Against Entering

BILL ANALYSIS:

Beginning on June 1, 2010, and ending on June 1, 2013, House Bill 1541 would prohibit an employee of the State or local government from entering the property located at 1104 Old Philadelphia Road; providing an exception to the Act for law enforcement officers or emergency responders acting within the scope of the person's official duties and for persons expressly invited onto the property by the owner of the property; and making the Act an emergency measure.

POSITION AND RATIONALE:

The Department opposes HB 1541. This is a highly unusual bill that would ban MDE staff, except for emergency responders at the time of a real emergency situation, from entering this specific business property in Aberdeen unless invited to do so. We oppose this bill since it would set a bad precedent for ongoing and future inspection and compliance activities. We also believe it violates the prohibition against special laws, embodied in Article III, sec. 33 of the Maryland Constitution.

FOR MORE INFORMATION,
CONTACT LISA NISSLEY
410-260-6301 ANNAPOLIS
410-537-3812 BALTIMORE